

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1799 be amended to read as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning
- 3 education.
- 4 Page 1, between the enacting clause and line 1, begin a new
- 5 paragraph and insert:
- 6 "SECTION 1. IC 20-1-20.5-8 IS AMENDED TO READ AS
- 7 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 8. (a) The roundtable
- 8 shall provide recommendations on subjects related to education to the
- 9 following:
- 10 (1) ~~The governor.~~
- 11 (2) ~~The superintendent of public instruction.~~
- 12 (3) ~~The general assembly.~~
- 13 (4) ~~The board.~~
- 14 (b) Before providing a recommendation under subsection (a), the
- 15 roundtable shall prepare an analysis of the fiscal impact that the
- 16 recommendation will have on the state, political subdivisions, and
- 17 private schools affected by the recommendation. The analysis must be
- 18 submitted with the recommendation under subsection (a).
- 19 (c) Whenever the roundtable provides a recommendation under
- 20 subsection (a) and the fiscal impact prepared under subsection (b)
- 21 indicates that the impact of the recommendation will be at least five
- 22 hundred thousand dollars (\$500,000), the roundtable shall submit a
- 23 copy of the recommendation and the fiscal impact prepared under
- 24 subsection (b) to the legislative services agency for review. Not more
- 25 than forty-five (45) days after receiving a copy of the recommendation

and fiscal analysis, the legislative services agency shall prepare a fiscal analysis concerning the effect that compliance with the recommendation will have on:

- (1) the state; and
- (2) political subdivisions and private schools affected by the proposed recommendation.

The fiscal analysis must contain an estimate of the direct fiscal impact of the recommendation and a determination concerning the extent to which the recommendation creates an unfunded mandate on the state, a political subdivision, or a private school affected by the proposed recommendation. The fiscal analysis is a public document. The legislative services agency shall make the fiscal analysis available to interested parties upon request. The roundtable shall provide the legislative services agency with the information necessary to prepare the fiscal analysis. The legislative services agency may also receive and consider applicable information from the entities affected by the recommendation in preparation of the fiscal analysis. The legislative services agency shall provide copies of its fiscal analysis to each of the persons described in subsection (a).

SECTION 2. IC 20-1-20.5-8.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 8.5. (a) Before the education roundtable takes a final vote on a recommendation under section 8 of this chapter, a public hearing must be held at which interested parties may present testimony and questions.**

**(b) Notice of the hearing shall be given in accordance with IC 5-3-1. The notice must state that on a given day, at an hour and a place, the education roundtable will meet to discuss and hear objections to and support of the proposed recommendations.**

SECTION 3. IC 20-1-21-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 9. The report must include the following information:

- (1) Student enrollment.
- (2) Graduation rate (as defined in IC 20-8.1-15-6).
- (3) Attendance rate.
- (4) The following test scores, including the number and percentage of students meeting academic standards:
  - (A) ISTEP test scores.
  - (B) Scores for assessments under IC 20-10.1-16-15, if appropriate.
  - (C) For a freeway school, scores on a locally adopted assessment program, if appropriate.
- (5) Average class size.
- (6) The number and percentage of students in the following groups or programs:
  - (A) Alternative education, if offered.
  - (B) Vocational education.

- 1 (C) Special education.
- 2 (D) Gifted or talented, if offered.
- 3 (E) Remediation.
- 4 (F) Limited English language proficiency.
- 5 (G) Students receiving free or reduced price lunch under the
- 6 national school lunch program.
- 7 (7) Advanced placement, including the following:
- 8 (A) For advanced placement tests, the percentage of students:
- 9 (i) scoring three (3), four (4), and five (5); and
- 10 (ii) taking the test.
- 11 (B) For the Scholastic Aptitude Test:
- 12 (i) test scores for all students taking the test;
- 13 (ii) test scores for students completing the academic honors
- 14 diploma program; and
- 15 (iii) the percentage of students taking the test.
- 16 (8) Course completion, including the number and percentage of
- 17 students completing the following programs:
- 18 (A) Academic honors diploma.
- 19 (B) Core 40 curriculum.
- 20 (C) Vocational programs.
- 21 (9) The percentage of grade 8 students enrolled in algebra I.
- 22 (10) The percentage of graduates who pursue higher education.
- 23 (11) School safety, including the number of students receiving
- 24 suspension or expulsion for the possession of alcohol, drugs, or
- 25 weapons.
- 26 (12) Financial information and various school cost factors,
- 27 including the following:
- 28 (A) Expenditures per pupil.
- 29 (B) Average teacher salary.
- 30 (C) Remediation funding.
- 31 (13) Technology accessibility and use of technology in
- 32 instruction.
- 33 (14) Interdistrict and intradistrict student mobility rates, if that
- 34 information is available.
- 35 (15) The number and percentage of each of the following within
- 36 the school corporation:
- 37 (A) Teachers who are certificated employees (as defined in
- 38 IC 20-7.5-1-2).
- 39 (B) Teachers who teach the subject area for which the teacher
- 40 is certified and holds a license.
- 41 (C) Teachers with national board certification.
- 42 (16) The percentage of grade 3 students reading at grade 3 level.
- 43 (17) The number of students expelled, including the number
- 44 participating in other recognized education programs during their
- 45 expulsion.
- 46 (18) Chronic absenteeism, which includes the number of students
- 47 who have been absent more than ten (10) days from school within

a school year without being excused.

(19) Other indicators of performance as ~~recommended~~  
**determined** by the ~~education roundtable (IC 20-1-20.5-3)~~ **board**.

SECTION 4. IC 20-10.1-16-6 IS AMENDED TO READ AS  
FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 6. (a) The department  
shall develop academic standards for the following subject areas for  
each grade level from kindergarten through grade 12:

(1) English/language arts.

(2) Mathematics.

(3) Social studies.

(4) Science.

(5) Other subject areas as determined by the department.

(b) The department shall revise and update academic standards for  
each grade level from kindergarten through grade 12 and in each  
subject area listed in subsection (a) at least once every six (6) years.  
This revision must occur on a cyclical basis that coincides with the  
textbook adoption cycle established in IC 20-10.1-9-4.

(c) The state superintendent shall appoint an academic standards  
committee that is composed of subject area teachers during the period  
when a subject area is undergoing revision.

(d) An academic standards committee shall submit recommendations  
on academic standards for a subject area to the ~~education roundtable~~  
~~(IC 20-1-20.5)~~ **board** for review by the ~~educational roundtable~~ **board**.

(e) The curriculum program of each grade level from kindergarten  
through grade 12 in a school in a school corporation must be consistent  
with the following standards:

(1) The academic standards developed under this section.

(2) The student competencies developed for the Core 40 college  
preparation curriculum models established under IC 20-10.1-5.7.

SECTION 5. IC 20-10.2-4-6 IS AMENDED TO READ AS  
FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 6. ~~(a) The education~~  
~~roundtable shall recommend to the board shall develop~~ a system for  
awarding and distributing grants under this chapter. A system  
~~recommended developed~~ under this section must be based on graduated  
levels of improvement based on ISTEP program standards and other  
assessments ~~recommended and approved by the education roundtable~~.  
**board.**

~~(b) The department shall begin distributing grants during the~~  
~~2002-2003 school year.~~

SECTION 6. IC 20-10.2-5-1 IS AMENDED TO READ AS  
FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) The performance  
of a school's students on ISTEP and other assessments ~~recommended~~  
~~by the education roundtable and approved by the board~~ are the primary  
and majority means of assessing a school's improvement.

(b) The ~~education roundtable board~~ shall ~~examine and make~~  
~~recommendations to the board concerning~~ **determine**:

(1) performance indicators that shall be used as secondary means

1 of determining school progress;

2 (2) expected progress levels, continuous improvement measures,  
3 distributional performance levels, and absolute performance levels  
4 for schools; and

5 (3) an orderly transition from the performance based accreditation  
6 system to the assessment system set forth in this article.

7 (c) The ~~education roundtable board~~ shall consider methods of  
8 measuring improvement and progress used in other states in developing  
9 recommendations under this section.

10 (d) ~~The education roundtable shall make recommendations to the~~  
11 ~~board by June 30, 2000.~~

12 (e) ~~The board shall adopt rules under IC 4-22-2 to implement the~~  
13 ~~recommendations of the education roundtable by January 1, 2001.~~

14 SECTION 7. IC 20-10.2-5-2 IS AMENDED TO READ AS  
15 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. (a) In addition to  
16 scores on ISTEP and other assessments, the department shall use the  
17 performance indicators developed under section 1 of this chapter and  
18 the benchmarks and indicators of performance in each school  
19 corporation's annual performance report as secondary means of  
20 assessing the improvement of each school and school corporation.

21 (b) The department shall assess improvement in the following  
22 manner:

23 (1) Compare each school and each school corporation to its own  
24 prior performance and not to the performance of other schools or  
25 school corporations.

26 (2) Compare the actual results in the annual report under  
27 IC 20-1-21 with the benchmarks and indicators of performance  
28 established in the plan for the same school.

29 (3) Compare the results for a school by comparing each student's  
30 results for each grade with the student's prior year results, with an  
31 adjustment for student mobility rate. ~~The roundtable shall make~~  
32 ~~recommendations concerning the incorporation of a statistical~~  
33 ~~adjustment for student mobility rates into the results.~~

34 (4) Compare the results for a school to the state average and the  
35 ninety-fifth percentile level for all assessments and performance  
36 indicators.

37 SECTION 8. THE FOLLOWING ARE REPEALED [EFFECTIVE  
38 JULY 1, 2005]: IC 20-1-20.5-10; IC 20-1-20.5-11; IC 20-1-20.5-12."

39 Page 1, line 8, after ";" insert "**and**".

40 Page 1, delete lines 9 through 10.

41 Page 1, line 11, delete "(4)" and insert "**(2)**".

42 Page 2, between lines 12 and 13, begin a new paragraph and insert:

43 "**SECTION 9. [EFFECTIVE UPON PASSAGE] (a) The Indiana**  
44 **state board of education may not adopt a rule after January 1,**  
45 **2005, concerning curriculum programs or high school graduation**  
46 **requirements until the general assembly has reviewed the rule.**

47 (b) A rule that does not comply with subsection (a) is void.

- 1 **(c) This SECTION expires December 31, 2007."**
- 2 Renumber all SECTIONS consecutively.  
(Reference is to HB 1799 as printed February 15, 2005.)

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Representative Porter